IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.30115 of 2008
SIYARAM YADAV
Versus
STATE OF BIHAR
---

2. 11.8.2008 Heard.

As regards the prayer for bail of the petitioner, considering that the petitioner has many criminal antecedents, I am not inclined to direct release of the petitioner from custody. The petition is dismissed.

However, the learned trial Judge has mentioned that the trial is at the verge of conclusion as only the investigating officer and the doctor are left to be examined. It appears from the rejection order that the name of the doctor was not appearing in the chargesheet. The court below may seek a report from the Deputy Superintendent , Sadar Hospital, Saharsa, as to the post mortem examination of Bechan Yadav, the deceased of the case was done by which doctor of the hospital and could very well summon that doctor. Likewise, the court has not stated what steps it has taken in procuring the evidence of the doctor and the investigating officer. Unless the court could indicate steps it has taken, how could it say that trial was at the verge of conclusion. At any rate, I fix a time frame of three months from the the date of receipt/production of a copy of the present order for the trial court to deliver judgment.

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sudip **(Dharnidhar Jha, J)**